

VICTIMS OF CRIME ACT (VOCA or VA)

CERTIFIED ASSURANCES

The program assures and certifies that:

1. It will use Crime Victim Assistance Grant funds made available under VOCA to enhance or expand services and that VOCA funds will not be used to **supplant** state and local funds that would otherwise be available for crime victim services.
2. It will contribute the amount of **matching funds** as required by VOCA and the Crime Victim Assistance Division.
3. It is a **public or non-profit program**, or a combination of such agencies, and that it provides services to victims of crime.
4. It can demonstrate a **record of providing effective services** to crime victims. This includes having community support and approval of its services by the community, a history of providing direct services in a cost-effective manner, and financial support from other sources. A new program that has not yet demonstrated a record of providing service must show that 25-50% of their financial support comes from non-federal sources.
5. Victim assistance funds shall be used only to provide **direct services** free of charge to victims of crimes.
6. It will help victims apply for **Crime Victim Compensation** benefits.
7. It will provide services to victims of crime at **no charge**. No income eligibility standards will be imposed on individuals receiving assistance or services supported with VOCA funds.
8. It will provide services to **victims of federal crimes** on the same basis as victims of state/local crimes.
9. It will promote within the community, **coordinated public and private efforts** to aid crime victims.
10. It will incorporate the **use of volunteers** unless the Crime Victim Assistance Division determines there is a compelling reason to waive this requirement. A compelling reason may be a statutory or contractual provision concerning liability or confidentiality of counselor/victim information, which bars using volunteers for certain positions, or the inability to recruit and maintain volunteers after a sustained and aggressive effort.
11. It will maintain **confidentiality** of client-counselor information as required by state and federal law.
12. It does not discriminate against victims because they disagree with the way the State is prosecuting the criminal case.
13. It will comply, and all its contractors and subgrantees will comply, with any applicable federal **nondiscrimination requirements**, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. § 10604(e)); the Victims of Crime Act [42 U.S.C. § 10604(e)]the Juvenile Justice and Delinquency Prevention Act of 2020 (42 U.S.C. § **5672(b)**); the Civil Rights Act of 1964

(42 U.S.C. § 2000d); the Rehabilitation Act of 1973 as amended (29 U.S.C. § 791); the Americans Disabilities Act of 1990 (42 U.S.C. §§ 12131-34); the Education Amendments of 1972 (20 U.S.C. §§ 1681, 1683, 1685-86); the Age Discrimination Act of 1975 (42 U.S.C. §§ 6101-07); 28 C.F.R. pt. 42 (U.S. Department of Justice Regulations – Nondiscrimination; Equal Employment Opportunity; Policies and Procedures); Ex. Order 13279 (equal protection of the laws for faith-based and community organizations); and 28 C.F.R. pt. 38 (U.S. Department of Justice Regulations – Equal Treatment for Faith-Based Organizations). Additional information about civil rights obligation of grantees can be found at <http://www.ojp.usdoj.gov/ocr/>.

14. In accordance with federal civil rights laws, the program or grantee shall not retaliate against individuals for taking action or participating in action to secure rights protected by federal civil rights laws.
15. It will determine whether it is required to formulate an **Equal Opportunity Program (EEOP)**, in accordance with 28 CFR 42.302 *et. seq.* If the program is not required to formulate an EEOP, it will submit a certification form to the U.S. Department of Justice, Office of Justice Programs, Office for Civil Rights (OCR), and the Iowa Attorney General's Crime Victim Assistance Division (CVAD) indicating that it is not required to develop an EEOP. If the program is required to develop an EEOP, but is not required to submit the EEOP to the OCR, the applicant will submit a certification form to the OCR and the CVAD certifying that it has an EEOP on file which meets the applicable requirements. If the applicant is awarded a grant of \$500,000 or more and has fifty or more employees, it will submit a copy of its EEOP to the OCR and the CVAD. Non-profit organizations, Indian Tribes, and medical and education institutions are exempt from the EEOP requirement, but are required to submit a certification form to the OCR to claim the exemption. A copy of the certification form should also be submitted to the CVAD. Additional information regarding a grantee's EEOP requirements can be found at http://www.ojp.usdoj.gov/about/ocr/eeop_comply.htm.
16. It will comply with Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with the Omnibus Crime Control and Safe Streets Act of 1968 and Title VI of the Civil Rights Act of 1964, the grantee must take reasonable steps to ensure the LEP persons have meaningful access to your programs. Meaningful access may entail providing language assistance services, to consider the need for language services for LEP person served or encountered both in developing your budgets and in conducting your programs and activities. Additional assistance and information regarding your LEP obligations can be found at <http://www.lep.gov>.
17. In the event that a Federal or State court or Federal or State administrative agency makes a **finding of discrimination** after a due process hearing on the grounds of race, color, religion, national origin, sex, age, or disability against the program, the program will forward the findings to the U.S. Department of Justice, Office of Justice Programs, Office for Civil Rights (OCR), and the Iowa Attorney General's Office, Crime Victim Assistance Division (CVAD).
18. It will maintain information on victims served by race, sex, national origin, age and disability and such information will be collected and maintained, where such information is voluntarily furnished by those receiving assistance.
19. It agrees to comply with the applicable requirements of the 28 C.F.R. Part 38, the Department of Justice (DOJ) regulation governing "Equal Treatment for Faith Based Organizations" (the "Equal

Treatment Regulation”). The Equal Treatment Regulation provides in part that the DOJ grant awards of direct funding may not be used to fund any inherently religious activities, such as worship, religious instruction, or proselytization. Recipients of direct grants may still engage in inherently religion activities, but such activities must be separate in time or place from the DOJ funded program, and participation in such activities by individuals receiving services from the grantee must be voluntary. The Equal Treatment Regulation also makes clear that organizations participating in programs directly funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of beneficiary’s religion.

20. It will maintain client, staff, policy and procedure information and that **reports** shall be submitted, in the correct form, on time, and containing information as required by the Crime Victim Assistance Division.
21. It will comply with Iowa Code Chapter 216 as amended which governs civil rights protection in Iowa; and Iowa Code Section 8.11 regarding Minority Impact Statements; the Iowa Attorney General’s Crime Victim Assistance Division rules as contained in the Iowa Administrative Code, 61 IAC Chapter 9, Section 9.50 through 9.65; and the policies of the Iowa Attorney General’s Crime Victim Assistance Division.
22. It will create a sexual harassment policy which includes the process for filing a grievance of sexual harassment by a staff member, client, victim, or volunteer. The process shall take into consideration how to file a complaint against a supervisor, administrator or director. After the creation of the sexual harassment policy, all current staff and volunteers, as well as new staff and volunteers will sign an acknowledgement form that they have reviewed and understand the sexual harassment policy. One copy will be provided to the staff member, or volunteer and one will be kept in their personnel file.
23. It agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government without the express written approval of the Office of Justice Programs (OJP), in order to avoid violation of 18 U.S.C. § 1913. It will comply with any restrictions outlined in 28 CFR Part 69 regarding New Restrictions on Lobbying.
24. It will comply with the Drug-Free Workplace Act of 1988, implemented at 28 CFR Part 67, subpart F, for programs, as defined at 28 CFR Part 67 Sections 67.615 and 67.620.
25. It will encourage adoption and enforcement of on-the-job seat belt policies and programs for its employees, contractors, and subrecipients when operating agency-owned, rented, or personally owned vehicles pursuant to 23 USC 402 and 403, and 29 USC 668.
26. It will encourage adoption and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by these funds, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers pursuant to Executive Order 13513, “Federal Leadership on Reducing Text Messaging While Driving,” 74 Fed. Reg. 51225 (October 1, 2009).
27. It will refer to the United States Department of Justice’s (DOJ) Office of Inspector General (OIG) and the Iowa Attorney General’s Crime Victim Assistance Division (CVAD) any credible evidence that a principal, employee, agent, contractor, subgrantee, or other person has either 1) submitted a false claim for these funds under the False Claims Act; or 2) committed a criminal or civil violation of laws

pertaining to fraud, wastes, abuse, conflict of interest, bribery, gratuity, or similar misconduct involving these funds. This condition also applies to any subgrantees or contractors. Potential fraud, waste, abuse or misconduct should be reported to the Office of Inspector General (OIG) by:

- a. Mailing to: Office of Inspector General, U.S. Department of Justice, Investigations Division, 950 Pennsylvania Avenue, N.W., Room 4706, Washington, D.C. 20530,
- b. Emailing to: oig.hotline@usdoj.gov,
- c. Hotline information: 1-800-869-4499 in English and Spanish, or
- d. Hotline fax: 1-202-616-9881.

Additional information is available from the DOJ OIG website at www.usdoj.gov/oig.

28. It will not use federal funds, either directly or indirectly, in support of any contract or subaward to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express written approval of OJP.
29. It agrees to comply with applicable requirements regarding Central Contractor Registration (CCR) and applicable restrictions and provide a Data Universal Numbering System (DUNS) number. The details of recipient obligations are posted on the Office of Justice Programs web site at <http://www.ovw.usdoj.gov/funding/ccr.htm>.
30. It and all its contractors will **comply with all Federal laws and regulations** applicable to Federal assistance programs and with any applicable provisions of 28 CFR Part 66, 70 entitled Uniform Administrative Requirements for Grants and Cooperative Agreements.
31. It will comply with the National Environmental Policy Act (NEPA, 42 U.S.C. section 4321 et seq.) and other related Federal laws (including National Historic Preservation Act (NHPA)). The program also agrees to comply with all federal, state and local environmental laws and regulations applicable to the development and implementation of the activities to be funded under this award or contract. It agrees to assist Office of Justice Programs (OJP) in carrying out its responsibilities under NEPA and related laws, if the recipient plans to use VOCA funds (directly or through subaward or contract) to undertake any activity that triggers these requirements, such as renovation or construction. (See 28 C.F.R. Part 61, App. D.). It will not use VOCA funds for renovation or construction.
32. Appropriate **accounting, auditing, and monitoring** procedures will be used so that records are maintained to insure fiscal control, proper management, and efficient distribution of the victim assistance funds in accordance with the most current edition of the Financial Guide created by the Office of Chief Financial Officer (OCFO).
33. Fund accounting, auditing, monitoring, evaluation procedures, and such **records** as the Attorney General's Crime Victim Assistance Division (CVAD) shall prescribe, shall be provided to assure fiscal control, proper management, and efficient disbursement of funds received.
 - a. It shall maintain such data and information and submit such **reports** in such form, at such times, and containing such data and information as the CVAD may reasonably require administering the program.
34. It will comply, and all its contractors will **comply, with the applicable provisions of the VOCA**, the guidelines for crime victim assistance grants and the requirements of the OCFO Financial Guide,

effective edition, which includes maintaining effective program and financial records that fully disclose the amount and disposition of VOCA funds received. This includes financial documentation for disbursements, daily time and attendance records for paid and volunteer staff, client files, the portion of the program funded with other sources of revenue, job descriptions, contracts for services, and other records which facilitate an effective audit.

35. It authorizes the Office for Victims of Crime (OVC), Office of the Chief Financial Officer (OCFO) and the Iowa Attorney General's Crime Victim Assistance Division (CVAD) and its representatives, access to and the right to examine all records, books, paper or documents related to the VOCA funds.
36. It will provide for an independent **audit** report on an annual basis as required by Office of Management and Budget (OMB) Circular A-133 and the OCFO Financial Guide. It will comply with the organizational audit requirements of OMB Circular A-133 and further understands and agrees that funds may be withheld, or other related requirements may be imposed, if outstanding audit issues (if any) from OMB Circular A-133 audits (and any other audits of Department of Justice funds) are not satisfactory and promptly addressed as further described in the current edition of the OVW Financial Grants Management Guide and the OCFO Financial Guide.
37. Non-Federal entities that expend \$500,000 or more a year in Federal funds (from all sources including pass-through awards) in the organization fiscal year (12 month turnaround reporting period) shall have a single organization-wide audit conducted in accordance with the provisions of OMB Circular A-133.
38. Non-Federal entities that expend less than \$500,000 a year in Federal awards are exempt from Federal audit requirements for that year. Records must be kept and available for review or audit by appropriate officials including the Federal agency, State agency, and U.S. Government Accountability Office (GAO).
39. All private agencies agree to perform **an audit in accordance with Iowa Code Section 11.36** audit requirements.
40. **Due Dates for Audit Reports** Audit reports are due the earlier of thirty days after receipt of the auditors report or (9) nine months after the end of the audit period. Audits must be sent to CVAD upon completion.
41. It will comply with any **additional eligibility or service criteria** established by the Crime Victim Assistance Division.
42. It will expend funds received only for the purposes and activities covered by the program's approved application and budget; and that the grant may be **suspended or terminated** at any time by the CVAD if the program fails to comply with the provisions of the VOCA, Victim Services Grant Program Administrative Rules or any of the certified assurances listed above.
43. It will notify the Crime Victim Assistance Division (CVAD) office **in writing, via e-mail or through other electronic means** within 30 days of any staffing change.
44. It will notify the Crime Victim Assistance Division (CVAD) office **in writing or via email** of any VOCA- funded positions that remain vacant for 45 days or more. This notification must include reason for vacancy and plan for filling the position.

45. It will keep time and attendance records for all VOCA-funded staff.

I certify that I have read and reviewed the above assurances and that the program will comply with all provisions of the Victims of Crime Act of 1984, all amendments or updates to this act, and all applicable federal and state laws, regulations, and guidance.

Program Name

Signature of Authorized Representative

Date

Typed Name of Authorized Representative

Title of Authorized Representative

Email Address of Authorized Representative

Telephone Number of Authorized Representative

Program Director Signature

Date

Typed Name of Program Director

Title of Program Director

Email Address of Program Director

Telephone Number of Program Director